

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Faria Tasnim	Team: Squad #5	CCRB Case #: 201905710	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Sat, 06/29/2019 6:45 PM	Location of Incident: [REDACTED] ([REDACTED] Broadway)	Precinct: 73	S.O.L. Expires: 12/29/2020		
Date/Time CV Reported Sat, 06/29/2019 8:07 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Sat, 06/29/2019 8:07 PM		

Complainant/Victim	Type	Home Address
1. R [REDACTED] G [REDACTED]	Comp/Victim	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POM M [REDACTED] B [REDACTED]	[REDACTED]	[REDACTED]	073 PCT
2. POM Christophe Kalinowski	22920	962515	073 PCT

Officer(s)	Allegation	Investigator Recommendation
A . POM M [REDACTED] B [REDACTED]	Abuse of Authority: Police Officer M [REDACTED] B [REDACTED] refused to provide his name to R [REDACTED] G [REDACTED]	A . Unsubstantiated
B . POM M [REDACTED] B [REDACTED]	Abuse of Authority: Police Officer M [REDACTED] B [REDACTED] refused to provide his shield number to R [REDACTED] G [REDACTED]	B . Unsubstantiated
C . POM M [REDACTED] B [REDACTED]	Other: Police Officer M [REDACTED] B [REDACTED] improperly used his body-worn camera according to Patrol Guide Procedure 212-123.	C . Other Misconduct
D . POM Christophe Kalinowski	Other: Police Officer Christopher Kalinowski improperly used his body-worn camera according to Patrol Guide Procedure 212-123.	D . Other Misconduct

Case Summary

On June 29, 2019, R [REDACTED] G [REDACTED] filed two complaints on the CCRB website regarding this incident.

The investigation did not obtain any video footage for this case.

On June 29, 2019, at approximately 6:45 p.m., Mr. G [REDACTED] was inside [REDACTED] store at [REDACTED] Broadway in Brooklyn. He called 911 to report harassment, and Police Officer M [REDACTED] B [REDACTED] and Police Officer Christopher Kalinowski of the 73rd Precinct responded to the location. PO B [REDACTED] allegedly refused to provide his name and shield number to Mr. G [REDACTED] (**Allegations A and B: Abuse of Authority, unsubstantiated**). PO B [REDACTED] and PO Kalinowski failed to properly activate their body-worn cameras during this incident (**Allegations C and D: Other misconduct**).

Findings and Recommendations

Allegation (A) Abuse of Authority: Police Officer M [REDACTED] B [REDACTED] refused to provide his name to R [REDACTED] G [REDACTED]

Allegation (B) Abuse of Authority: Police Officer Mathew B [REDACTED] refused to provide his shield number to R [REDACTED] G [REDACTED]

Mr. G [REDACTED] recounted in both his phone statement and in-person statement that four or five officers responded to the store after his 911 call (BR01-BR02). PO B [REDACTED] appeared to be “leading” the other officers, and as such, once Mr. G [REDACTED] felt that the officers were not assisting him with the situation, he asked PO B [REDACTED] for his name and shield number. In his phone statement, Mr. G [REDACTED] stated that PO B [REDACTED] allegedly responded, “No that’s not how it goes. I don’t give you my name and badge number.” He confirmed in his in-person statement that PO B [REDACTED] exact words were, “No, it don’t work like that.” Mr. G [REDACTED] also recounted that he was able to see PO B [REDACTED] name and shield number on his uniform, and that he took note of them during the incident.

PO B [REDACTED] denied that Mr. G [REDACTED] asked him for his name and shield number, and he denied that he or any other officer refused to provide that information to Mr. G [REDACTED] during the incident (BR03). PO Kalinowski initially stated that he did not know whether PO B [REDACTED] refused to provide Mr. G [REDACTED] with his name and shield number, but later denied that anyone requested any form of officer identification information at any point during this incident (BR04).

Absent additional evidence, the investigation could not determine whether PO B [REDACTED] refused to provide his name and shield number to Mr. G [REDACTED]. Therefore, it is recommended that **Allegations A and B** be closed as **unsubstantiated**.

Allegation (C) Other Misconduct: Police Officer M [REDACTED] B [REDACTED] improperly used his body-worn camera according to Patrol Guide Procedure 212-123.

Allegation (D) Other Misconduct: Police Officer Christopher Kalinowski improperly used his body-worn camera according to Patrol Guide Procedure 212-123.

PO B [REDACTED] and PO Kalinowski did not activate their BWCs during the incident. PO B [REDACTED] and PO Kalinowski were first assigned BWCs in October 2018.

NYPD Patrol Guide Procedure 212-123 mandates that officers activate their body-worn cameras prior to engaging in, or assisting another uniformed member of the service with certain police actions, such as potential crime-in-progress assignments, including the 10-30 series (BR 08).

[illegible]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Investigator: _____

Signature _____ Print Title & Name _____ Date _____

Reviewer: _____

Signature _____ Print Title & Name _____ Date _____